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November 13, 2013

VIA ELECTRONIC FILING

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Phoenix Beverages, Inc., et al. v. Exxon Mobil Corporation, et al.
Case No.: 1:12-cv-03771-PKC-JO

Dear Judge Chen:

This letter is submitted on behalf of Third-Party Defendant, Waste Management of Maryland, Inc. ("WMM"). WMM's responses to the third-party complaints are currently due November 18, 2013. (Docket Nos. 88 and 89, granted on September 16, 2013). The Court has issued orders in this matter extending the time to answer or renew parties' requests for a pre-motion conference until fourteen days after Judge Irizzary rules on related motions in *DMJ Associates, LLC v. Carl A. Capasso, et al.*, No. 97-CV-7285 ("DMJ Litigation"). WMM respectfully requests that the Court extend WMM's time to respond to the third-party complaints until fourteen days after Judge Irizzary rules on the related motions in the DMJ Litigation. Third-Party Plaintiffs have no objection to this request.

WMM's previously stipulated request for an extension was granted by this Court on September 16, 2013 (Docket No. 89).

We appreciate the Court's consideration of this matter.

Respectfully submitted,

/s/ Sharon Oras Morgan

Sharon Oras Morgan

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Counsel for Waste Management of Maryland, Inc.

cc: Counsel of Record (via ECF)